

Application No. 10/715 158
Amendment dated February 3, 2006
Reply to Office action of December 2, 2005

REMARKS

Claims 1, 2, 5 and 6 have been withdrawn, and claim 3 has been amended, leaving claims 3 and 4 in the case and at issue.

The present invention relates to a new and improved pallet stop cable system which prevents pallets and material from being pushed out the rear of a pallet bay.

The first full paragraph on page 7 has been amended to correct two typographical errors. On line 5 the 5" offset has been corrected to a 3" offset, which finds support on page 6, lines 20-23. On line 10 Fig. 5C has been corrected to Fig. 5D.

The Examiner rejected claims 3 and 4 as being anticipated by Courtwright. As is well known anticipation requires that each and every element of the claimed invention be disclosed in one prior art reference. Applicant submits that the Examiner errs in find each and every element in Courtwright.

The Examiner notes that Courtwright has vertical frame posts 22, 23; cable brackets 62; and cables 82. A close look at Courtwright reveals that the cable brackets 62 are welded to the beam 20, not to the vertical frame posts 22 and 23. Applicant's amended claim 3 requires a set of rear cable brackets attached to the set of vertical frame posts. Since Courtwright does not have brackets attached to vertical frame posts, Courtwright cannot anticipate claim 3.

In addition, the tension rods 72 and 82 of Courtwright are below the front beam 20 and do not stop anything from flying off the storage system. On the other hand, the cables of applicant are attached to the cable brackets which in turn are attached to the vertical frame posts just above the

lateral support beams. Since Courtwright does not have the above structure this reference cannot anticipate claim 3.

In Courtwright when a loaded cart collides with the front beam 20, the majority of the collision forces are directed toward the middle portion of the front beam, which exerts diagonal tension forces on the tension rods 72 and 82 between the front beam and the interior structural cross support. Thus it is very clear that in Courtwright the front beam 20 stops the loaded cart while in applicant's structure the rear-stop cables stop a pallet from continuing beyond the designated space.

Applicant submits that in view of the above there is no basis for rejection of claim 3 under section 102(b) and requests reconsideration and allowance. Applicant has persuasively argued that claim 3 is not anticipated by Courtwright.

Claim 4 is dependent upon claim 3 and recites that the set of rear cable brackets position the corresponding set of rear-stop cables at a selectable distance away from the rear of the pallet bay to allow an overhang of pallets placed on the lateral loading support beams. This structure is not shown or even suggested by Courtwright. Accordingly, it is contended that the Examiner's rejection of claims 3 and 4 is traversed.

It is respectfully submitted that applicant has addressed the concerns raised by the Examiner. Early allowance of claims 3 and 4 and passage of the application to issuance are earnestly solicited.

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Respectfully submitted,

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